

**REMARKS**

Claims 1, 2 and 4 are pending in this application. By the Office Action, claims 1, 2, and 4 are rejected under 35 U.S.C. §103. In view of the following remarks, reconsideration and allowance are respectfully requested.

I. Rejection Under 35 U.S.C. §103

The Office Action rejects claims 1, 2, and 4 under 35 U.S.C. §103(a) over U.S. Patent No. 6,217,176 to Maekawa ("Maekawa"). Applicants respectfully traverse the rejection.

Claim 1 is directed to an anti-dazzling film, comprising: a transparent substrate film; and an anti-dazzling layer provided on one side of the transparent substrate film; wherein the anti-dazzling layer comprises an ionizing radiation-curable resin, and transparent fine particles; the transparent fine particles consist of a single type of transparent fine particles; and the transparent fine particles satisfies the stated formulae (I) and (II). Claim 2 is likewise directed to an anti-dazzling film, comprising: a transparent substrate film; and an anti-dazzling layer provided on one side of the transparent substrate film; wherein the anti-dazzling layer comprises an ionizing radiation-curable resin, and transparent fine particles; the transparent fine particles consist of a single type of transparent fine particles; and the transparent fine particles satisfies the stated formulae (III) and (IV). Such anti-dazzling films are nowhere taught or suggested by Maekawa.

The Office Action asserts that Maekawa discloses an antiglare film including a transparent substrate film and an antiglare layer including a light transparent resin and two or more types of light transparent fine particles. The Office Action further asserts that the fine particles of Maekawa have particle diameters of from 1 to 5 microns. The Office Action further indicates that this previous rejection has been again raised, because the claims do not exclude the presence of a second type of transparent fine particles. Notwithstanding these

assertions, Maekawa would not have rendered obvious the claimed invention, at least because the present claims distinguish over Maekawa.

A. Maekawa Does Not Teach a Single Type of Transparent Fine Particles

The Office Action is correct that Maekawa appears to disclose an antiglare film including a transparent substrate film and an antiglare layer including a light transparent resin and two or more types of light transparent fine particles, where the fine particles have particle diameters of from 1 to 5 microns. However, for all of the reasons set forth in Applicants' previous responses, Maekawa nowhere teaches or suggests that the fine particles satisfy the claimed formulas (I) and (II) or (III) and (IV), based on the cumulative curve of particle size distribution. As to these limitations, the Office Action merely asserts that it would have been optimize the particle size distribution to achieve desired antiglare results. Applicants disagree, at least because Maekawa nowhere teaches or suggests any importance of the particle size distribution curve, nowhere teaches or suggests that the particle size distribution curve is a parameter suitable for optimization, and nowhere teaches or suggests that any such optimization of the particle size distribution curve should be done in a manner that would satisfy both formulas (I) and (II) in claim 1, or formulas (III) and (IV) in claim 2. In the absence of any such teachings, one of ordinary skill in the art would not have been motivated to alter the disclosure of Maekawa to practice the claimed invention.

Furthermore, Maekawa actually teaches away from the claimed invention. At the time the claimed invention was made, one of ordinary skill in the art used mono-disperse fine particles as anti-dazzling agents. However, such fine particles were used in combinations of two or more different types, and had a sharp curve and a narrow particle size distribution. For example, the fine particles typically had a median particle diameter of  $\pm 1 \mu\text{m}$ .

Maekawa is representative of the state of the art. That is, Maekawa specifically teaches that at least two or more mono-disperse fine particles should be used as the light

transparent fine particles. See, for example, Maekawa at claim 1 and col. 3, lines 1-3.

Furthermore, Maekawa teaches that these two or more different types of mono-disperse fine particles should have different properties, such as different refractive index. See, for example, Maekawa at claim 1. In the Examples and Comparative Examples, Maekawa describes the use of acryl-styrene beads (particle diameter = 3.5  $\mu\text{m}$ ) as a first light transparent fine particle and styrene beads (particle diameter = 3.5  $\mu\text{m}$ ) as a second light transparent fine particle.

In contrast to Maekawa, claims 1 and 2 specify that the anti-dazzling layer consists of only a single type of transparent fine particles. Claims 1 and 2 thus require only one type of fine transparent fine particle, not two or more as required in Maekawa. Further, because only one type of transparent fine particle is used in the claimed invention, the transparent fine particles do not have different properties, such as different refractive indices. Still further, as exemplified in Formulas (I)-(IV) of claims 1 and 2, the transparent fine particles have a flat curve and a wide particle size distribution. Such single type of transparent fine particles having the claimed particle size distribution properties are exemplified in Examples 1-11 of the specification.

**B. The Claims Are Limited to a Single Type of Transparent Fine Particles**

The Office Action now appears to acknowledge the above distinction between the claimed invention and Maekawa. That is, the Office Action acknowledges that Maekawa discloses the use of at least two or more mono-disperse fine particles. However, the Office Action argues that Applicants' claims do not distinguish this feature. Applicants disagree.

As recited above, claims 1 and 2 specify that "the transparent fine particles consist of a single type of transparent fine particles." While the full language of the claim may be open language, the claims clearly recite closed language with respect to the transparent fine particles in the anti-dazzling layer, and thus are specifically limited to a single type of

transparent fine particles and exclude the presence of two or more types of transparent fine particles such as in Maekawa.

For example, claim 1 specifies an anti-dazzling film, comprising a transparent substrate film and an anti-dazzling layer. Accordingly, by the use of the open "comprising" language, while these two layers must be present, additional unspecified layers or components could also be present. Likewise, claim 1 specifies that the anti-dazzling layer comprises an ionizing radiation-curable resin, and transparent fine particles. Again, by the use of the open "comprising" language, while the anti-dazzling layer must include an ionizing radiation-curable resin and transparent fine particles, additional unspecified components could also be present. However, the claim then limits the openness of the claim language, by specifically limiting the transparent fine particles to only one type of transparent fine particles. While the "comprising" language may allow for other components to be present in the anti-dazzling layer, the claim specifically and unequivocally states that "the transparent fine particles consist of a single type of transparent fine particles." Claim 2 provides a similar analysis.

Thus, although the claims may use "comprising" language with respect to the overall structure of the claimed anti-dazzling films, that language and claim scope is specifically limited with respect to the transparent fine particles. The claims are limited to encompass anti-dazzling films where the transparent fine particles in the anti-dazzling layer are only a single type of transparent fine particles.

C. The Examiner is Invited to Contact Applicants' Representative

Although Applicants believe that no further claim amendments are necessary in view of the above comments, Applicants welcome from the Examiner any suggestions for clarifying this point in the claims in order to expedite prosecution. Should the Examiner believe that further clarifying amendments may be helpful in advancing prosecution, the

Examiner is invited to contact Applicants' undersigned representative to discuss any such amendments.

D. Conclusion

Accordingly, Maekawa does not teach suggest an anti-dazzling layer as claimed. Maekawa does not teach or suggest that the transparent fine particles should have the claimed particle size distribution of formulas (I) and (II) or of formulas (III) and (IV), and does not teach or suggest that only a single type of transparent fine particles are used. Instead, Maekawa teaches away from the claimed invention, by specifying particles having a sharp curve and a narrow particle size distribution, and requiring that at least two or more different types of transparent fine particles are used. Maekawa does not provide any reason or rationale for going against its express teachings, to practice the claimed invention.

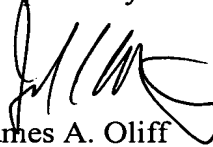
For at least these reasons, claims 1 and 2 would not have been rendered obvious by Maekawa. Claim 4 depends from claim 1 and, thus, also would not have been rendered obvious by Maekawa. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2 and 4 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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